

PROB 12C
(793)

Report Date: November 22, 2010

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 22 2010

JAMES R. LARSEN, DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Monty Eugene Shelley Case Number: 2:06CR02176-001
Address of Offender: W. Richland, WA 99353
Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge
Date of Original Sentence: 8/2/2007
Original Offense: Manufacture of Counterfeit U.S. Federal Reserve Notes, 18 U.S.C. § 471
Original Sentence: Prison - 37 Months; TSR - 36 Months Type of Supervision: Supervised Release
Asst. U.S. Attorney: Gregory M. Shogren Date Supervision Commenced: 5/11/2010
Defense Attorney: Diane E. Hehir Date Supervision Expires: 3/10/2013

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- 1 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

 Supporting Evidence: On October 21, 2010, Mr. Shelley reported to the U.S. Probation Office and submitted to a urine drug test which tested positive for the use of marijuana and methamphetamine.
- 2 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

 Supporting Evidence: On October 21, 2010, Mr. Shelley was instructed to return to substance abuse treatment. Since that date, the defendant has failed to comply with treatment.

Prob12C

Re: Shelley, Monty Eugene

November 22, 2010

Page 2

- 3 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Shelley failed to submit to drug testing on October 26, 2010, November 1, 2010 and November 17, 2010.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/22/2010

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- [] No Action
FVS [X] The Issuance of a Warrant
[] The Issuance of a Summons
[] Other



Signature of Judicial Officer

November 22, 2010

Date